

**HOUSE BILL NO. 381**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES EASTMAN, Rauscher

Introduced: 2/22/22

Referred: State Affairs, Judiciary, Finance

**A BILL****FOR AN ACT ENTITLED**1    **"An Act relating to elections; and providing for an effective date."**2    **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**3       \* **Section 1.** AS 15.10.120(c) is amended to read:

4                   (c) An election supervisor shall appoint one nominee of the political party **of**  
5                   **which the governor is a member** [OR POLITICAL GROUP WITH THE LARGEST  
6                   NUMBER OF REGISTERED VOTERS AT THE TIME OF THE PRECEDING  
7                   GUBERNATORIAL ELECTION] and one nominee of the political party **that**  
8                   **received** [OR POLITICAL GROUP WITH] the second largest number of **votes**  
9                   **statewide in** [REGISTERED VOTERS AT THE TIME OF] the preceding  
10                  gubernatorial election. **If** [HOWEVER, THE ELECTION SUPERVISOR MAY  
11                  APPOINT A QUALIFIED PERSON REGISTERED AS A MEMBER OF A THIRD  
12                  POLITICAL PARTY OR POLITICAL GROUP OR AS A NONPARTISAN OR  
13                  UNDECLARED VOTER IF] a party district committee or state party central  
14                  committee of the party **of which the governor is a member** [OR GROUP WITH  
15                  THE LARGEST NUMBER OF REGISTERED VOTERS] or the party **that received**

[OR GROUP WITH] the second largest number of votes statewide in [REGISTERED VOTERS AT THE TIME OF] the preceding gubernatorial election fails to present the names prescribed by (b) of this section by April 15 of a regular election year or at least 60 days before a special [PRIMARY] election, the election supervisor may appoint any qualified individual registered to vote.

\* **Sec. 2.** AS 15.10.170 is amended to read:

**Sec. 15.10.170. Appointment and privileges of watchers.** (a) The precinct party committee, where an organized precinct committee exists, or the party district committee where no organized precinct committee exists, or the state party chairperson where neither a precinct nor a party district committee exists, may appoint one or more persons as watchers in each precinct and counting center for any election. Each candidate not representing a political party may appoint one or more watchers for each precinct or counting center in the candidate's respective district or the state for any election. Any organization or organized group that sponsors or opposes an initiative, referendum, or recall may have one or more persons as watchers at the polls and counting centers after first obtaining authorization from the director. A state party chairperson, a precinct party committee, a party district committee, or a candidate not representing a political party or organization or organized group may not have more than one watcher on duty at a time in any precinct or counting center. A watcher must be a United States citizen. The watcher may be present at a position inside the place of voting or counting that affords a full view of all action of the election officials taken from the time the polls are opened until the ballots are finally counted and the results certified by the election board or the data processing review board. The election board or the data processing review board may require each watcher to present written proof showing appointment by the precinct party committee, the party district committee, the organization or organized group, or the candidate the watcher represents that is signed by the chairperson of the precinct party committee, the party district committee, the state party chairperson, the organization or organized group, or the candidate representing no party.

(b) In addition to the watchers appointed under (a) of this section, in a primary election, [OR] special [PRIMARY] election [OR SPECIAL ELECTION] under

AS 15.40.140, or special runoff election under AS 15.40.141, each candidate may appoint one watcher in each precinct and counting center.

\* **Sec. 3.** AS 15.13.020(b) is amended to read:

(b) The governor shall appoint two members of each of the two political parties whose candidate for governor received the highest number of votes in [OR POLITICAL GROUPS WITH THE LARGEST NUMBER OF REGISTERED VOTERS AT THE TIME OF] the most recent preceding general election at which a governor was elected. The two appointees from each of these two parties [OR GROUPS] shall be chosen from a list of four names to be submitted by the central committee of each party [OR GROUP].

\* **Sec. 4.** AS 15.13.020(d) is amended to read:

(d) Members of the commission serve staggered terms of five years, or until a successor is appointed and qualifies. The terms of no two members who are members of the same political party [OR POLITICAL GROUP] may expire in consecutive years. A member may not serve more than one term. However, a person appointed to fill the unexpired term of a predecessor may be appointed to a successive full five-year term.

\* **Sec. 5.** AS 15.13.040(j) is amended to read:

(j) Except as provided in (l) of this section, each nongroup entity shall make a full report in accordance with AS 15.13.110 on [UPON] a form prescribed by the commission and certified by the nongroup entity's treasurer [,] listing

(1) the name and address of each officer and director of the nongroup entity;

(2) the aggregate amount of all contributions made to the nongroup entity for the purpose of influencing the outcome of an election;

(3) for all contributions described in (2) of this subsection, the name, address, date, and amount contributed by each contributor, and for all contributions described in (2) of this subsection in excess of \$250 in the aggregate during a calendar year, the principal occupation and employer of the contributor [, AND FOR ALL CONTRIBUTIONS DESCRIBED IN (2) OF THIS SUBSECTION IN EXCESS OF \$2,000 IN THE AGGREGATE DURING A CALENDAR YEAR, THE TRUE

1 SOURCE OF SUCH CONTRIBUTIONS AND ALL INTERMEDIARIES, IF ANY,  
 2 WHO TRANSFERRED SUCH FUNDS, AND A CERTIFICATION FROM THE  
 3 TREASURER THAT THE REPORT DISCLOSES ALL OF THE INFORMATION  
 4 REQUIRED BY THIS PARAGRAPH]; and

5 (4) the date and amount of all contributions made by the nongroup  
 6 entity, and, except as provided for certain independent expenditures in  
 7 AS 15.13.135(a), all expenditures made, incurred, or authorized by the nongroup  
 8 entity, for the purpose of influencing the outcome of an election; a nongroup entity  
 9 shall report contributions made to a different nongroup entity for the purpose of  
 10 influencing the outcome of an election and expenditures made on behalf of a different  
 11 nongroup entity for the purpose of influencing the outcome of an election as soon as  
 12 the total contributions and expenditures to that nongroup entity for the purpose of  
 13 influencing the outcome of an election reach \$500 in a year and for all subsequent  
 14 contributions and expenditures to that nongroup entity in a year whenever the total  
 15 contributions and expenditures to that nongroup entity for the purpose of influencing  
 16 the outcome of an election that have not been reported under this paragraph reach  
 17 \$500.

18 \* **Sec. 6.** AS 15.13.074(b) is amended to read:

19 (b) A person or group may not make a contribution anonymously, using a  
 20 fictitious name, or using the name of another. [INDIVIDUALS, PERSONS,  
 21 NONGROUP ENTITIES, OR GROUPS SUBJECT TO AS 15.13.040(r) MAY NOT  
 22 CONTRIBUTE OR ACCEPT \$2,000 OR MORE OF DARK MONEY AS THAT  
 23 TERM IS DEFINED IN AS 15.13.400(5), AND MAY NOT MAKE A  
 24 CONTRIBUTION WHILE ACTING AS AN INTERMEDIARY WITHOUT  
 25 DISCLOSING THE TRUE SOURCE OF THE CONTRIBUTION AS DEFINED IN  
 26 AS 15.13.400(19).]

27 \* **Sec. 7.** AS 15.13.074(c) is amended to read:

28 (c) A person or group may not make a contribution  
 29 (1) to a candidate or an individual who files with the commission the  
 30 document necessary to permit that individual to incur certain election-related expenses  
 31 as authorized by AS 15.13.100 when the office is to be filled at a general election

1 before the date that is 18 months before the general election;

2 (2) to a candidate or an individual who files with the commission the  
3 document necessary to permit that individual to incur certain election-related expenses  
4 as authorized by AS 15.13.100 for an office that is to be filled at a special election or  
5 municipal election before the date that is 18 months before the date of the regular  
6 municipal election or that is before the date of the proclamation of the special election  
7 at which the candidate or individual seeks election to public office; or

8 (3) to any candidate later than the 45th day

9 (A) after the date of the primary [OR SPECIAL PRIMARY]  
10 election if the candidate was on the ballot and was not nominated [CHOSEN  
11 TO APPEAR ON THE GENERAL OR SPECIAL ELECTION BALLOT] at  
12 the primary [OR SPECIAL PRIMARY] election; or

13 (B) after the date of the general [OR SPECIAL] election, or  
14 after the date of a municipal or municipal runoff election.

15 \* **Sec. 8.** AS 15.13.090(c) is amended to read:

16 (c) To satisfy the requirements of (a)(1) of this section and, if applicable,  
17 (a)(2)(C) of this section, a communication that includes a print or video component  
18 must have the following statement or statements placed in the communication so as to  
19 be easily discernible [, AND, IN A BROADCAST, CABLE, SATELLITE,  
20 INTERNET OR OTHER DIGITAL COMMUNICATION, THE STATEMENT  
21 MUST REMAIN ONSCREEN THROUGHOUT THE ENTIRETY OF THE  
22 COMMUNICATION]; the second statement is not required if the person paying for  
23 the communication has no contributors or is a political party:

24 This communication was paid for by (person's name and city and state of  
25 principal place of business). The top contributors of (person's name) are (the  
26 name and city and state of residence or principal place of business, as  
27 applicable, of the largest contributors to the person under  
28 AS 15.13.090(a)(2)(C)).

29 \* **Sec. 9.** AS 15.13.110(f) is amended to read:

30 (f) During the year in which the election is scheduled, each of the following  
31 shall file the campaign disclosure reports in the manner and at the times required by

1 this section:

2 (1) a person who, under the regulations adopted by the commission to  
3 implement AS 15.13.100, indicates an intention to become a candidate for elective  
4 state executive or legislative office;

5 (2) a person who has filed a nominating petition under  
6 AS 15.25.140 - 15.25.200 to become a candidate at the general election for elective  
7 state executive or legislative office;

8 (3) a person who campaigns as a write-in candidate for elective state  
9 executive or legislative office at the general election; and

10 (4) [(3)] a group or nongroup entity that receives contributions or  
11 makes expenditures on behalf of or in opposition to a person described in

12 (1) - (3) [(1) OR (2)] of this subsection, except as provided for certain  
13 independent expenditures by nongroup entities in AS 15.13.135(a).

14 \* **Sec. 10.** AS 15.13.390(a) is amended to read:

15 (a) A person who

16 [(1)] fails to register when required by AS 15.13.050(a) or who fails to  
17 file a properly completed and certified report within the time required by  
18 AS 15.13.040, 15.13.060(b) - (d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a  
19 civil penalty of not more than \$50 a day for each day the delinquency continues as  
20 determined by the commission subject to right of appeal to the superior court. A  
21 person who fails to file a properly completed and certified report within the time  
22 required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not  
23 more than \$500 a day for each day the delinquency continues as determined by the  
24 commission subject to right of appeal to the superior court. A person who [;

25 (2) WHETHER AS A CONTRIBUTOR OR INTERMEDIARY,  
26 DELAYS IN REPORTING A CONTRIBUTION AS REQUIRED BY  
27 AS 15.13.040(r) IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN  
28 \$1,000 A DAY FOR EACH DAY THE DELINQUENCY CONTINUES AS  
29 DETERMINED BY THE COMMISSION SUBJECT TO RIGHT OF APPEAL TO  
30 THE SUPERIOR COURT;

31 (3) WHETHER AS A CONTRIBUTOR OR INTERMEDIARY,

MISREPORTS OR FAILS TO DISCLOSE THE TRUE SOURCE OF A CONTRIBUTION IN VIOLATION OF AS 15.13.040(r) OR 15.13.074(b) IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN THE AMOUNT OF THE CONTRIBUTION THAT IS THE SUBJECT OF THE MISREPORTING OR FAILURE TO DISCLOSE; UPON A SHOWING THAT THE VIOLATION WAS INTENTIONAL, A CIVIL PENALTY OF NOT MORE THAN THREE TIMES THE AMOUNT OF THE CONTRIBUTION IN VIOLATION MAY BE IMPOSED; THESE PENALTIES AS DETERMINED BY THE COMMISSION ARE SUBJECT TO RIGHT OF APPEAL TO THE SUPERIOR COURT;

(4)] violates a provision of this chapter, except a provision requiring registration or filing of a report within a time required as otherwise specified in this section, is subject to a civil penalty of not more than \$50 a day for each day the violation continues as determined by the commission, subject to right of appeal to the superior court. An [; AND

(5) IS ASSESSED A CIVIL PENALTY MAY SUBMIT TO THE COMMISSION AN] affidavit stating facts in mitigation; however, the imposition of the penalties prescribed in this section or in AS 15.13.380 does not excuse that person from registering or filing reports required by this chapter.

\* **Sec. 11.** AS 15.13.400(4) is amended to read:

(4) "contribution"

(A) means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made, and includes the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that is rendered to the candidate or political party, and that is made for the purpose of

(i) influencing the nomination or election of a candidate;

(ii) influencing a ballot proposition or question; or

(iii) supporting or opposing an initiative proposal application filed with the lieutenant governor under AS 15.45.020;

(B) does not include

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political party, candidate, or ballot proposition or question;

(ii) ordinary hospitality in a home;

(iii) two or fewer mass mailings before each election by each political party describing the party's slate of candidates for [MEMBERS OF THE PARTY RUNNING AS CANDIDATES FOR PUBLIC OFFICE IN THAT] election, which may include photographs, biographies, and information about the party's candidates;

(iv) the results of a poll limited to issues and not mentioning any candidate, unless the poll was requested by or designed primarily to benefit the candidate;

(v) any communication in the form of a newsletter from a legislator to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee;

(vi) a fundraising list provided without compensation by one candidate or political party to a candidate or political party; or

(vii) an opportunity to participate in a candidate forum provided to a candidate without compensation to the candidate by another person and for which a candidate is not ordinarily charged;

\* **Sec. 12.** AS 15.15.030(5) is amended to read:

(5) The names of the candidates and their party designations shall be placed in separate sections on the state general election ballot under the office designation to which they were nominated. The [IF A CANDIDATE IS REGISTERED AS AFFILIATED WITH A POLITICAL PARTY OR POLITICAL GROUP, THE] party affiliation, if any, shall [MAY] be designated after the name of the candidate [, UPON REQUEST OF THE CANDIDATE. IF A CANDIDATE HAS REQUESTED DESIGNATION AS NONPARTISAN OR UNDECLARED, THAT



DESIGNATION SHALL BE PLACED AFTER THE NAME OF THE CANDIDATE. IF A CANDIDATE IS NOT REGISTERED AS AFFILIATED WITH A POLITICAL PARTY OR POLITICAL GROUP AND HAS NOT REQUESTED TO BE DESIGNATED AS NONPARTISAN OR UNDECLARED, THE CANDIDATE SHALL BE DESIGNATED AS UNDECLARED]. The lieutenant governor and the governor shall be included under the same section. Provision shall be made for voting for write-in and no-party candidates within each section. Paper ballots for the state general election shall be printed on white paper.

\* **Sec. 13.** AS 15.15.360(a) is amended to read:

(a) The election board shall count ballots according to the following rules:

(1) A voter may mark a ballot only by filling in, making "X" marks, diagonal, horizontal, or vertical marks, solid marks, stars, circles, asterisks, checks, or plus signs that are clearly spaced in the oval opposite the name of the candidate, proposition, or question that the voter desires to designate. [IN A GENERAL ELECTION, A VOTER MAY MARK A BALLOT THAT REQUIRES THE VOTER TO VOTE FOR CANDIDATES IN ORDER OF RANKED PREFERENCE BY THE USE OF NUMERALS THAT ARE CLEARLY SPACED IN ONE OF THE OVALS OPPOSITE THE NAME OF THE CANDIDATE THAT THE VOTER DESIRES TO DESIGNATE.]

(2) A failure to properly mark a ballot as to one or more candidates does not itself invalidate the entire ballot.

(3) If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.

(4) If a voter marks more names than there are persons to be elected to the office, the votes for candidates for that office may not be counted.

(5) [(4)] The mark specified in (1) of this subsection shall be counted only if it is substantially inside the oval provided, or touching the oval so as to indicate clearly that the voter intended the particular oval to be designated.

(6) [(5)] Improper marks on the ballot may not be counted and do not invalidate marks for candidates properly made.

(7) [(6)] An erasure or correction invalidates only that section of the

1 ballot in which it appears.

2 **(8)** [(7)] A vote marked for the candidate for President or Vice-  
3 President of the United States is considered and counted as a vote for the election of  
4 the presidential electors.

5 [(9) REPEALED

6 (10) REPEALED

7 (11) REPEALED

8 (12) REPEALED]

9 \* **Sec. 14.** AS 15.15.370 is amended to read:

10 **Sec. 15.15.370. Completion of ballot count; certificate.** When the count of  
11 ballots is completed, and in no event later than the day after the election, the election  
12 board shall make a certificate in duplicate of the results. The certificate includes the  
13 number of votes cast for each candidate, [INCLUDING, FOR A CANDIDATE IN A  
14 GENERAL ELECTION, THE NUMBER OF VOTES AT EACH ROUND OF THE  
15 RANKED-CHOICE TABULATION PROCESS UNDER AS 15.15.350, THE  
16 NUMBER OF VOTES] for and against each proposition, yes or no on each question,  
17 and any additional information prescribed by the director. The election board shall,  
18 immediately upon completion of the certificate or as soon thereafter as the local mail  
19 service permits, send in one sealed package to the director one copy of the certificate  
20 and the register. In addition, all ballots properly cast shall be mailed to the director in a  
21 separate, sealed package. Both packages, in addition to an address on the outside, shall  
22 clearly indicate the precinct from which they come. Each board shall, immediately  
23 upon completion of the certification and as soon thereafter as the local mail service  
24 permits, send the duplicate certificate to the respective election supervisor. The  
25 director may authorize election boards in precincts in those areas of the state where  
26 distance and weather make mail communication unreliable to forward their election  
27 results by telephone or radio. The director may authorize the unofficial totaling of  
28 votes on a regional basis by election supervisors, tallying the votes as indicated on  
29 duplicate certificates. To ensure adequate protection, the director shall prescribe the  
30 manner in which the ballots, registers, and all other election records and materials are  
31 thereafter preserved, transferred, and destroyed.

1 \* **Sec. 15.** AS 15.15.450 is amended to read:

2           **Sec. 15.15.450. Certification of state ballot counting review.** Upon  
3 completion of the state ballot counting review, the director shall certify the person  
4 receiving the largest number of votes for the office for which that person was a  
5 candidate as elected to that office [NOMINATED OR ELECTED, AS  
6 APPLICABLE,] and shall certify the approval of a justice or judge not rejected by a  
7 majority of the voters voting on the question. The director shall issue to the elected  
8 candidates and approved justices and judges a certificate of their election or approval.  
9 The director shall also certify the results of a proposition and other question except  
10 that the lieutenant governor shall certify the results of an initiative, referendum, or  
11 constitutional amendment.

12 \* **Sec. 16.** AS 15.20.081(a) is amended to read:

13           (a) A qualified voter may apply in person, by mail, or by facsimile, scanning,  
14 or other electronic transmission to the director for an absentee ballot under this  
15 section. Another individual may apply for an absentee ballot on behalf of a qualified  
16 voter if that individual is designated to act on behalf of the voter in a written general  
17 power of attorney or a written special power of attorney that authorizes the other  
18 individual to apply for an absentee ballot on behalf of the voter. The application must  
19 include the address or, if the application requests delivery of an absentee ballot by  
20 electronic transmission, the telephone electronic transmission number, to which the  
21 absentee ballot is to be returned, the applicant's full Alaska residence address, and the  
22 applicant's signature. However, a person residing outside the United States and  
23 applying to vote absentee in federal elections in accordance with AS 15.05.011 need  
24 not include an Alaska residence address in the application. A person may supply to a  
25 voter an absentee ballot application form with a political party or group affiliation  
26 indicated only if the voter is already registered as affiliated with the political party or  
27 group indicated. Only the voter or the individual designated by the voter in a  
28 written power of attorney under this subsection may mark the voter's choice of  
29 primary ballot on an application. A person supplying an absentee ballot  
30 application form may not design or mark the application in a manner that  
31 suggests choice of one ballot over another, except that ballot choices may be listed

1 **on an application as authorized by the division.** The application must be made on a  
 2 form prescribed or approved by the director. The voter or registration official shall  
 3 submit the application directly to the division of elections. For purposes of this  
 4 subsection, "directly to the division of elections" means that an application may not be  
 5 submitted to any intermediary that could control or delay the submission of the  
 6 application to the division or gather data on the applicant from the application form.  
 7 However, nothing in this subsection is intended to prohibit a voter from giving a  
 8 completed absentee ballot application to a friend, relative, or associate for transfer to  
 9 the United States Postal Service or a private commercial delivery service for delivery  
 10 to the division.

11 \* **Sec. 17.** AS 15.20.081(h) is amended to read:

12 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail  
 13 from outside the United States or from an overseas voter qualifying under  
 14 AS 15.05.011 that has been marked and mailed not later than election day may not be  
 15 counted unless the ballot is received by the election supervisor not later than the close  
 16 of business on the

17 (1) 10th day following a primary election or special [PRIMARY]  
 18 election under AS 15.40.140; or

19 (2) 15th day following a general election, **special runoff election,** or  
 20 special election, other than a special [PRIMARY] election described in (1) of this  
 21 subsection.

22 \* **Sec. 18.** AS 15.20.190(a) is amended to read:

23 (a) Thirty days before the date of an election, the election supervisors shall  
 24 appoint, in the same manner provided for the appointment of election officials  
 25 prescribed in AS 15.10, district absentee ballot counting boards and district questioned  
 26 ballot counting boards, each composed of at least four members. At least one member  
 27 of each board must be a member of the same political party **of which the governor is**  
 28 **a member** [OR POLITICAL GROUP WITH THE LARGEST NUMBER OF  
 29 REGISTERED VOTERS AT THE TIME OF THE PRECEDING  
 30 GUBERNATORIAL ELECTION], and at least one member of each board must be a  
 31 member of the political party **whose candidate for governor received the second**

1 largest number of votes in [OR POLITICAL GROUP WITH THE SECOND  
 2 LARGEST NUMBER OF REGISTERED VOTERS AT THE TIME OF] the  
 3 preceding gubernatorial election. The district boards shall assist the election  
 4 supervisors in counting the absentee and questioned ballots and shall receive the same  
 5 compensation paid election officials under AS 15.15.380.

6 \* **Sec. 19.** AS 15.20.203(i) is amended to read:

7 (i) The director shall mail the materials described in (h) of this section to the  
 8 voter not later than

9 (1) 10 days after completion of the review of ballots by the state  
 10 review board for a primary election, or for a special [PRIMARY] election under  
 11 AS 15.40.140 that is followed by a special runoff election;

12 (2) 60 days after certification of the results of a general election,  
 13 special runoff election, or special election other than a special [PRIMARY] election  
 14 described in (1) of this subsection.

15 \* **Sec. 20.** AS 15.20.203(j) is amended to read:

16 (j) The director shall make available through a free access system to each  
 17 absentee voter a system to check to see whether the voter's ballot was counted and, if  
 18 not counted, the reason why the ballot was not counted. The director shall make this  
 19 information available through the free access system not less than

20 (1) 10 days after certification of the results of a primary election, or a  
 21 special [PRIMARY] election under AS 15.40.140 that is followed by a special  
 22 runoff election; and

23 (2) 30 days after certification of the results of a general or special  
 24 election, other than a special [PRIMARY] election described in (1) of this subsection.

25 \* **Sec. 21.** AS 15.20.207(i) is amended to read:

26 (i) The director shall mail the materials described in (h) of this section to the  
 27 voter not later than

28 (1) 10 days after completion of the review of ballots by the state  
 29 review board for a primary election, or for a special [PRIMARY] election under  
 30 AS 15.40.140 that is followed by a special runoff election;

31 (2) 60 days after certification of the results of a general or special

election, other than a special [PRIMARY] election described in (1) of this subsection.

\* **Sec. 22.** AS 15.20.207(k) is amended to read:

(k) The director shall make available through a free access system to each voter voting a questioned ballot a system to check to see whether the voter's ballot was counted and, if not counted, the reason why the ballot was not counted. The director shall make this information available through the free access system not less than

(1) 10 days after certification of the results of a primary election or a special [PRIMARY] election under AS 15.40.140 that is followed by a special runoff election; and

(2) 30 days after the certification of the results of a general or special election, other than a special [PRIMARY] election described in (1) of this subsection.

\* **Sec. 23.** AS 15.20.211(d) is amended to read:

(d) The director shall mail the materials described in (c) of this section to the voter not later than

(1) 10 days after completion of the review of ballots by the state review board for a primary election, or for a special [PRIMARY] election under AS 15.40.140 that is followed by a special runoff election;

(2) 60 days after certification of the results of a general or special election, other than a special [PRIMARY] election described in (1) of this subsection.

\* **Sec. 24.** AS 15.20.211(f) is amended to read:

(f) The director shall make available through a free access system to each voter whose ballot was subject to partial counting under this section a system to check to see whether the voter's ballot was partially counted and, if not counted, the reason why the ballot was not counted. The director shall make this information available through the free access system not less than

(1) 10 days after certification of the results of a primary election or a special [PRIMARY] election under AS 15.40.140 that is followed by a special runoff election; and

(2) 30 days after the certification of the results of a general or special election, other than a special [PRIMARY] election described in (1) of this subsection.

\* **Sec. 25.** AS 15.25.010 is amended to read:

1           **Sec. 15.25.010. Provision for primary election.** Candidates for the elective  
 2 state executive and state and national legislative offices shall be nominated in a  
 3 primary election by direct vote of the people in the manner prescribed by this chapter.  
 4 The director shall prepare and provide a primary election ballot for each  
 5 political party. A voter registered as affiliated with a political party may vote that  
 6 party's ballot. A voter registered as nonpartisan or undeclared rather than as  
 7 affiliated with a particular political party may vote the political party ballot of  
 8 the voter's choice unless prohibited from doing so under AS 15.25.015. A voter  
 9 registered as affiliated with a political party may not vote the ballot of a different  
 10 political party unless permitted to do so under AS 15.25.015 [THE PRIMARY  
 11 ELECTION DOES NOT SERVE TO DETERMINE THE NOMINEE OF A  
 12 POLITICAL PARTY OR POLITICAL GROUP BUT SERVES ONLY TO  
 13 NARROW THE NUMBER OF CANDIDATES WHOSE NAMES WILL APPEAR  
 14 ON THE BALLOT AT THE GENERAL ELECTION. EXCEPT AS PROVIDED IN  
 15 AS 15.25.100(d), ONLY THE FOUR CANDIDATES WHO RECEIVE THE  
 16 GREATEST NUMBER OF VOTES FOR ANY OFFICE SHALL ADVANCE TO  
 17 THE GENERAL ELECTION].

18 \* **Sec. 26.** AS 15.25 is amended by adding a new section to read:

19           **Sec. 15.25.015. Participation in primary election selection of a political**  
 20 **party's candidates.** (a) Not later than 5:00 p.m., Alaska time, on September 1 of the  
 21 calendar year before the calendar year in which a primary election is to be held, a  
 22 political party shall submit a notice in writing to the director stating whether the party  
 23 bylaws expand or limit who may participate in the primary election for selection of the  
 24 party's candidates for elective state executive and state and national legislative offices.  
 25 A copy of the party's bylaws expanding or limiting who may participate in the primary  
 26 election for selection of the party's candidates, documentation required under (b) of  
 27 this section, and other information required by the director, must be submitted along  
 28 with the notice. The notice, bylaws, documentation, and other information required by  
 29 the director shall be provided by the party's chairperson or another party official  
 30 designated by the party's bylaws.

31           (b) Once a political party timely submits a notice and bylaws under (a) of this

section and the director finds that the party has met the requirements of this chapter and other applicable laws, the director shall permit a voter registered as affiliated with another party to vote the party's ballot if the voter is permitted by the party's bylaws to participate in the selection of the party's candidates and may not permit a voter registered as nonpartisan or undeclared to vote a party's ballot if the party's bylaws restrict participation by nonpartisan or undeclared voters in the party's primary; however, for a subsequent primary election, the party shall timely submit another notice, bylaws, documentation, and other information under (a) of this section if the party's bylaws regarding who may participate in the primary election for selection of the party's candidates change.

(c) Party bylaws required to be submitted under (a) of this section must be precleared by the United States Department of Justice under 42 U.S.C. 1973c (sec. 5, Voting Rights Act of 1965) before submission. Documentation of the preclearance must accompany the bylaws submitted under (a) of this section.

\* **Sec. 27.** AS 15.25.030(a) is amended to read:

(a) A member of a political party [PERSON] who seeks to become a candidate of the party in the primary election [OR A SPECIAL PRIMARY ELECTION] shall execute and file a declaration of candidacy. The declaration shall be executed under oath before an officer authorized to take acknowledgments and must state in substance

(1) the full name of the candidate;

(2) the full mailing address of the candidate;

(3) if the candidacy is for the office of state senator or state representative, the house or senate district of which the candidate is a resident;

(4) the office for which the candidate seeks nomination;

(5) the name of the political party of which the person is a candidate for nomination [OR POLITICAL GROUP WITH WHICH THE CANDIDATE IS REGISTERED AS AFFILIATED, OR WHETHER THE CANDIDATE WOULD PREFER A NONPARTISAN OR UNDECLARED DESIGNATION PLACED AFTER THE CANDIDATE'S NAME ON THE BALLOT];

(6) the full residence address of the candidate, and the date on which



1 residency at that address began;

2 (7) the date of the primary election [OR SPECIAL PRIMARY  
3 ELECTION] at which the candidate seeks nomination;

4 (8) the length of residency in the state and in the district of the  
5 candidate;

6 (9) that the candidate will meet the specific citizenship requirements of  
7 the office for which the person is a candidate;

8 (10) that the candidate is a qualified voter as required by law;

9 (11) that the candidate will meet the specific age requirements of the  
10 office for which the person is a candidate; if the candidacy is for the office of state  
11 representative, that the candidate will be at least 21 years of age on the first scheduled  
12 day of the first regular session of the legislature convened after the election; if the  
13 candidacy is for the office of state senator, that the candidate will be at least 25 years  
14 of age on the first scheduled day of the first regular session of the legislature convened  
15 after the election; if the candidacy is for the office of governor or lieutenant governor,  
16 that the candidate will be at least 30 years of age on the first Monday in December  
17 following election or, if the office is to be filled by special election under  
18 AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age on the  
19 date of certification of the results of the special election; or, for any other office, by  
20 the time that the candidate, if elected, is sworn into office;

21 (12) that the candidate requests that the candidate's name be placed on  
22 the primary [ELECTION OR SPECIAL PRIMARY] election ballot;

23 (13) that the required fee accompanies the declaration;

24 (14) that the person is not a candidate for any other office to be voted  
25 on at the primary or general election and that the person is not a candidate for this  
26 office under any other declaration of candidacy or nominating petition;

27 (15) the manner in which the candidate wishes the candidate's name to  
28 appear on the ballot; and

29 (16) that the candidate is registered to vote as a member of the  
30 political party whose nomination is being sought [IF THE CANDIDACY IS FOR  
31 THE OFFICE OF THE GOVERNOR, THE NAME OF THE CANDIDATE FOR

1       LIEUTENANT GOVERNOR RUNNING JOINTLY WITH THE CANDIDATE FOR  
2       GOVERNOR; AND

3               (17) IF THE CANDIDACY IS FOR THE OFFICE OF LIEUTENANT  
4       GOVERNOR, THE NAME OF THE CANDIDATE FOR GOVERNOR RUNNING  
5       JOINTLY WITH THE CANDIDATE FOR LIEUTENANT GOVERNOR].

6       \* **Sec. 28.** AS 15.25 is amended by adding a new section to read:

7               **Sec. 15.25.057. Nomination by party petition where incumbent dies or is**  
8       **disqualified or incapacitated.** (a) If an unopposed incumbent candidate for  
9       renomination dies, becomes disqualified from holding the office the candidate is  
10      seeking, or is certified as being incapacitated between June 1 of the election year and  
11      that date which is more than 54 days before the date of the primary election, the  
12      candidate's place on the ballot may be filled by party petition. The petition shall state  
13      that the political party requests the name of the proposed candidate replace that of the  
14      incumbent on the primary election ballot and shall be accompanied by a declaration of  
15      candidacy from the person named in the petition. The petition must be received by the  
16      director not later than 14 days after the death, disqualification, or certification of  
17      incapacity of the incumbent or 52 days before the primary election date, whichever  
18      time is earlier.

19              (b) The method for certifying an incumbent candidate for nomination as being  
20      incapacitated, the method for selecting the person who is to be named in the party  
21      petition, and the method for placing the name of the person selected on the primary  
22      nomination ballot are the same as those prescribed in AS 15.25.111 and 15.25.131  
23      relating to filling vacancies of party nominees in a general election.

24              (c) The death, disqualification, or certification of incapacity of the incumbent  
25      within 52 days before or on the primary election date does not affect the counting and  
26      review of the ballots. If the result of the counting and review discloses that the  
27      candidate, if the candidate had lived, would have been nominated, the candidate shall  
28      be declared nominated. The vacancy may be filled by party petition as provided in  
29      AS 15.25.111 - 15.25.131.

30      \* **Sec. 29.** AS 15.25.060 is repealed and reenacted to read:

31              **Sec. 15.25.060. Preparation and distribution of ballots; appropriate ballot.**

(a) The primary election ballots shall be prepared and distributed by the director in the manner prescribed in this section. The director shall prepare and provide a primary election ballot for each political party that contains all of the candidates of that party for elective state executive and state and national legislative offices and all of the ballot titles and propositions required to appear on the ballot at the primary election. The director shall print the ballots on white paper and place the names of all candidates who have properly filed in groups according to offices. The order of the placement of the names for each office shall be as provided for the general election ballot. Blank spaces may not be provided on the ballot for the writing or pasting in of names. The director shall also prepare and print a separate primary election ballot including only the ballot titles and propositions required to appear on the ballot.

(b) A voter may vote only one primary election ballot. A voter may vote a political party ballot only if the voter is registered as affiliated with that party, is allowed to participate in the party primary under the party's bylaws, or is registered as nonpartisan or undeclared rather than as affiliated with a particular political party and the party's bylaws do not restrict participation by nonpartisan or undeclared voters in the party's primary. For the purpose of determining which primary election ballot a voter may use, a voter's party affiliation is considered to be the affiliation registered with the director as of the 30th day before the primary election. If a voter changes party affiliation within the 30 days before the primary election, the voter's previous party affiliation shall be used for the determination under this subsection.

(c) If a voter is not voting in person and has requested an absentee ballot or special needs ballot but has not indicated a choice of ballot, the director shall provide the voter with the ballot listing the candidates of the political party or group with which the voter is affiliated, as determined under (b) of this section.

\* **Sec. 30.** AS 15.25.100 is repealed and reenacted to read:

**Sec. 15.25.100. Placement of nominees on general election ballot.** The director shall place the name of the candidate receiving the highest number of votes for an office by a political party on the general election ballot.

\* **Sec. 31.** AS 15.25.105(a) is amended to read:

(a) If a candidate does not appear on the primary election ballot or is not

1 successful in advancing to the general election and wishes to be a candidate in the  
 2 general election, the candidate may file as a write-in candidate. Votes for a write-in  
 3 candidate may not be counted unless that candidate has filed a letter of intent with the  
 4 director stating

5 (1) the full name of the candidate;

6 (2) the full residence address of the candidate and the date on which  
 7 residency at that address began;

8 (3) the full mailing address of the candidate;

9 (4) the name of the political party or political group of which the  
 10 candidate is a member, if any [WITH WHICH THE CANDIDATE IS  
 11 REGISTERED AS AFFILIATED, OR WHETHER THE CANDIDATE WOULD  
 12 PREFER A NONPARTISAN OR UNDECLARED DESIGNATION];

13 (5) if the candidate is for the office of state senator or state  
 14 representative, the house or senate district of which the candidate is a resident;

15 (6) the office that the candidate seeks;

16 (7) the date of the election at which the candidate seeks election;

17 (8) the length of residency in the state and in the house district of the  
 18 candidate;

19 (9) the name of the candidate as the candidate wishes it to be written  
 20 on the ballot by the voter;

21 (10) that the candidate meets the specific citizenship requirements of  
 22 the office for which the person is a candidate;

23 (11) that the candidate will meet the specific age requirements of the  
 24 office for which the person is a candidate; if the candidacy is for the office of state  
 25 representative, that the candidate will be at least 21 years of age on the first scheduled  
 26 day of the first regular session of the legislature convened after the election; if the  
 27 candidacy is for the office of state senator, that the candidate will be at least 25 years  
 28 of age on the first scheduled day of the first regular session of the legislature convened  
 29 after the election; if the candidacy is for the office of governor or lieutenant governor,  
 30 that the candidate will be at least 30 years of age on the first Monday in December  
 31 following election or, if the office is to be filled by special election under

AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age on the date of certification of the results of the special election; or, for any other office, by the time that the candidate, if elected, is sworn into office;

(12) that the candidate is a qualified voter as required by law; and

(13) that the candidate is not a candidate for any other office to be voted on at the general election and that the candidate is not a candidate for this office under any other nominating petition or declaration of candidacy.

\* **Sec. 32.** AS 15.25.105(b) is amended to read:

(b) If a write-in candidate is running for the office of governor, the candidate must file a joint letter of intent together with a candidate for lieutenant governor. **Both candidates must be of the same political party or group.**

\* **Sec. 33.** AS 15.25 is amended by adding new sections to read:

**Sec. 15.25.111. Filling vacancies by party petition.** If a candidate of a political party nominated at the primary election dies, withdraws, resigns, becomes disqualified from holding the office for which the candidate is nominated, or is certified as being incapacitated in the manner prescribed by this section after the primary election and 64 days or more before the general election, the vacancy may be filled by party petition. The central committee of any political party or any party district committee may certify as being incapacitated any candidate nominated by their respective party by presenting to the director a sworn statement made by a panel of three licensed physicians, not more than two of whom may be of the same political party, that the candidate is physically or mentally incapacitated to an extent that would, in the panel's judgment, prevent the candidate from active service during the term of office if elected. The director shall place the name of the person nominated by party petition on the general election ballot. The name of a candidate disqualified under this section may not appear on the general election ballot.

**Sec. 15.25.121. Requirements for party petition.** Party petitions for the nomination of candidates shall state in substance that the political party desires and intends to support the named candidate for the named office and requests that the name of the proposed candidate be placed on the general election ballot. The petition may be filed not later than 64 days before the date of the general election.

**Sec. 15.25.131. Selection of nominees for party petition.** The nominees of political parties by party petition may be selected for statewide offices by the state party central committee or in any other manner prescribed by the party bylaws, and the petition for statewide offices shall be signed by the state chairperson of the political party or, in the absence of the state chairperson, by any two members of the state party central committee. The nominees of political parties by party petition may be selected for district-wide offices by the respective party district committee or in any other manner prescribed by the party bylaws, and the petition for district-wide offices shall be signed by the chairperson of the party district committee, or in the absence of the chairperson, by any two members of the party district committee, or in any other manner prescribed by the party bylaws. The petition may be delivered in person, or by mail, facsimile, or other reliable electronic transmission.

**Sec. 15.25.141. Provision for no-party candidate nominations.** Candidates not representing a political party are nominated by petition.

**Sec. 15.25.151. Date of filing petition.** A candidate seeking nomination by petition shall submit the information required under AS 15.25.181(a)(1) - (8) and (11) - (17) to the director in the time and manner specified in AS 15.25.040. The full petition with voter signatures shall be filed with the director by actual physical delivery in person at or before 5:00 p.m., prevailing time, on the day of the primary election in the year in which a general election is held for the office, or by actual physical delivery to the director by registered or certified mail return receipt requested which is postmarked at or before 5:00 p.m., prevailing time, on the day of the primary election in the year in which a general election is held for the office, and received not more than 15 days after that time. If the postmark is illegible, a dated receipt from the post office where dispatched shall be acceptable as evidence of mailing.

**Sec. 15.25.161. Required number of signatures for statewide office.** Petitions for the nomination of candidates for the office of governor, lieutenant governor, United States senator, and United States representative shall be signed by qualified voters of the state equal in number to at least one percent of the number of voters who cast ballots in the preceding general election.

**Sec. 15.25.171. Required number of signatures for district-wide office.**

Petitions for the nomination of candidates for the office of state senator or state representative shall be signed by qualified voters of the house or senate district in which the proposed nominee desires to be a candidate equal in number to at least one percent of the number of voters who cast ballots in the proposed nominee's respective house or senate district in the preceding general election. A nominating petition may not contain less than 50 signatures for any district.

**Sec. 15.25.181. Requirements for petition.** (a) The petition must state in substance

- (1) the full name of the candidate;
- (2) the full residence address of the candidate and the date on which residency at that address began;
- (3) the full mailing address of the candidate;
- (4) the name of the political group, if any, supporting the candidate;
- (5) if the candidacy is for the office of state senator or state representative, the house or senate district of which the candidate is a resident;
- (6) the office for which the candidate is nominated;
- (7) the date of the election at which the candidate seeks election;
- (8) the length of residency in the state and in the district of the candidate;
- (9) that the subscribers are qualified voters of the state or house or senate district in which the candidate resides;
- (10) that the subscribers request that the candidate's name be placed on the general election ballot;
- (11) that the proposed candidate accepts the nomination and will serve if elected with the statement signed by the proposed candidate;
- (12) the name of the candidate as the candidate wishes it to appear on the ballot;
- (13) that the candidate is not a candidate for any other office to be voted on at the primary or general election and that the candidate is not a candidate for this office under any other nominating petition or declaration of candidacy;
- (14) that the candidate meets the specific citizenship requirements of

1 the office for which the person is a candidate;

2 (15) that the candidate will meet the specific age requirements of the  
 3 office for which the person is a candidate; if the candidacy is for the office of state  
 4 representative, that the candidate will be at least 21 years of age on the first scheduled  
 5 day of the first regular session of the legislature convened after the election; if the  
 6 candidacy is for the office of state senator, that the candidate will be at least 25 years  
 7 of age on the first scheduled day of the first regular session of the legislature convened  
 8 after the election; and if the candidacy is for the office of governor or lieutenant  
 9 governor, that the candidate will be at least 30 years of age on the first Monday in  
 10 December following the election or, if the office is to be filled by special election  
 11 under AS 15.40.230 — 15.40.310, that the candidate will be at least 30 years of age on  
 12 the date of certification of the results of the special election; or, for any other office,  
 13 by the time that the candidate, if elected, is sworn into office;

14 (16) that the candidate is a qualified voter; and

15 (17) if the candidacy is for the office of the governor, the name of the  
 16 candidate for lieutenant governor running jointly with the candidate for governor.

17 (b) A person filing a nominating petition under this section, other than a  
 18 person subject to AS 24.60 who is filing a petition for a state legislative office, shall  
 19 simultaneously file with the director a statement of income sources and business  
 20 interests that complies with the requirements of AS 39.50. A person who is subject to  
 21 AS 24.60 and is filing a nominating petition for state legislative office shall  
 22 simultaneously file with the director a disclosure statement that complies with the  
 23 requirements of AS 24.60.200.

24 (c) An incumbent public official, other than a legislator, who has a current  
 25 statement of income sources and business interests under AS 39.50 on file with the  
 26 Alaska Public Offices Commission, or an incumbent legislator who has a current  
 27 disclosure statement under AS 24.60.200 on file with the Alaska Public Offices  
 28 Commission, is not required to file a statement of income sources and business  
 29 interests or a disclosure statement with the nominating petition under (b) of this  
 30 section.

31 **Sec. 15.25.186. Eligibility of candidate.** The provisions of AS 15.25.042 and



1 15.25.043 apply to determinations of a candidate's eligibility when a candidate seeks  
2 nomination by petition under AS 15.25.141 - 15.25.201.

3 **Sec. 15.25.191. Placement of names on general election ballot.** The director  
4 shall place the names and the political group affiliation of persons who have been  
5 properly nominated by petition on the general election ballot.

6 **Sec. 15.25.201. Withdrawal of candidate's name.** If a candidate nominated  
7 by petition dies or withdraws after the petition has been filed and 64 days or more  
8 before the general election, the director may not place the name of the candidate on  
9 the general election ballot.

10 \* **Sec. 34.** AS 15.30.010 is amended to read:

11 **Sec. 15.30.010. Provision for selection of electors.** Electors of President and  
12 Vice President of the United States are selected by election at the general election in  
13 presidential election years [, IN THE MANNER AND AS DETERMINED BY THE  
14 RANKED-CHOICE METHOD OF TABULATING VOTES DESCRIBED IN  
15 AS 15.15.350 - 15.15.370].

16 \* **Sec. 35.** AS 15.40.140 is amended to read:

17 **Sec. 15.40.140. Condition of calling [SPECIAL PRIMARY ELECTION**  
18 **AND] special election.** When a vacancy occurs in the office of United States senator  
19 or United States representative, the governor shall, by proclamation, call a special  
20 [PRIMARY] election under AS 15.40.144(a); however, [TO BE HELD ON A DATE  
21 NOT LESS THAN 60, NOR MORE THAN 90, DAYS AFTER THE DATE THE  
22 VACANCY OCCURS, TO BE FOLLOWED BY A SPECIAL ELECTION ON THE  
23 FIRST TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING NOT LESS  
24 THAN 60 DAYS AFTER THE SPECIAL PRIMARY ELECTION. HOWEVER, IN  
25 AN ELECTION YEAR IN WHICH A CANDIDATE FOR THAT OFFICE IS NOT  
26 REGULARLY ELECTED,] if the vacancy occurs on a date that is [NOT] less than 60  
27 [, NOR MORE THAN 90,] days before or is on or after the date of

28 [(1)] the primary election in the general election year during which  
29 a candidate to fill the office is regularly elected, the governor may not call a [,  
30 THE] special [PRIMARY] election [SHALL BE HELD ON THE DATE OF THE  
31 PRIMARY ELECTION WITH THE SUBSEQUENT SPECIAL ELECTION TO BE

1 HELD ON THE DATE OF THE GENERAL ELECTION; OR

2 (2) THE GENERAL ELECTION, THE SPECIAL PRIMARY  
3 ELECTION SHALL BE HELD ON THE DATE OF THE GENERAL ELECTION  
4 WITH THE SUBSEQUENT SPECIAL ELECTION TO BE HELD ON THE FIRST  
5 TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING NOT LESS THAN  
6 60 DAYS AFTER THE SPECIAL PRIMARY AND GENERAL ELECTION].

7 \* **Sec. 36.** AS 15.40 is amended by adding new sections to read:

8 **Sec. 15.40.143. Condition of calling a special runoff election.** (a) If no  
9 candidate in a special election called under AS 15.40.140 receives over 50 percent of  
10 the votes cast for the office, the governor shall, by proclamation, call a special runoff  
11 election under AS 15.40.144(b).

12 (b) In a special runoff election called under (a) of this section, the director  
13 shall place the names of the candidates receiving the greatest number of votes and the  
14 second greatest number of votes in the special election on the special runoff election  
15 ballot.

16 **Sec. 15.40.144. Time of calling the special election and special runoff**  
17 **election.** (a) Except as provided in (c) of this section, if a special election is called  
18 under AS 15.40.140, it shall be held on a date not less than 60, nor more than 90, days  
19 after the date the vacancy occurs.

20 (b) Except as provided in (c) of this section, a special runoff election under  
21 AS 15.40.143 shall be held on the first Tuesday that is not a state holiday occurring  
22 not less than 60 days after the special election.

23 (c) In an election year in which a candidate for the vacant office is not  
24 regularly elected, and the vacancy occurs on a date that is not less than 60, nor more  
25 than 90, days before the date of

26 (1) the primary election, the special election shall be held on the date  
27 of the primary election with any subsequent special runoff election under  
28 AS 15.40.143 to be held on the date of the general election; or

29 (2) the general election, the special election shall be held on the date of  
30 the general election with any subsequent special runoff election under AS 15.40.143 to  
31 be held on the first Tuesday that is not a state holiday occurring not less than 60 days

1 after the special and general election.

2 \* **Sec. 37.** AS 15.40 is amended by adding a new section to read:

3 **Sec. 15.40.151. Condition for holding special election with primary.** If the  
4 vacancy occurs on a date not less than 60, nor more than 90, days before the date of  
5 the primary election, the governor shall, by proclamation, call the special election to  
6 be held on the date of the primary election.

7 \* **Sec. 38.** AS 15.40.160 is amended to read:

8 **Sec. 15.40.160. Proclamation.** The governor shall issue the proclamation  
9 [CALLING THE SPECIAL PRIMARY ELECTION AND SPECIAL ELECTION] at  
10 least 50 days before the

11 (1) special [PRIMARY] election; and

12 (2) if a special runoff election is required under AS 15.40.143(a),  
13 special runoff election.

14 \* **Sec. 39.** AS 15.40.165 is amended to read:

15 **Sec. 15.40.165. Term of elected senator.** At the special election, or, as  
16 provided by AS 15.40.143, at the special runoff election, a United States senator  
17 shall be elected to fill the remainder of the unexpired term. The person elected shall  
18 take office on the date the United States Senate meets, convenes, or reconvenes  
19 following the certification of the results of the special election or special runoff  
20 election by the director.

21 \* **Sec. 40.** AS 15.40.170 is amended to read:

22 **Sec. 15.40.170. Term of elected representative.** At the special election, or, as  
23 provided by AS 15.40.143, at the special runoff election, a United States  
24 representative shall be elected to fill the remainder of the unexpired term. The person  
25 elected shall take office on the date the United States house of representatives meets,  
26 convenes, or reconvenes following the certification of the results of the special  
27 election or special runoff election by the director.

28 \* **Sec. 41.** AS 15.40.190 is amended to read:

29 **Sec. 15.40.190. Requirements of petition for no-party candidates.** Petitions  
30 for the nomination of candidates not representing a political party shall be signed  
31 by qualified voters of the state equal in number to at least one percent of the

1 number of voters who cast ballots in the preceding general election and shall  
 2 [MUST BE EXECUTED UNDER OATH,] state in substance that which is required  
 3 for nomination petitions by AS 15.25.181 [A DECLARATION OF CANDIDACY  
 4 UNDER AS 15.25.030, AND INCLUDE THE FEE REQUIRED UNDER  
 5 AS 15.25.050(a)].

6 \* **Sec. 42.** AS 15.40 is amended by adding new sections to read:

7 **Sec. 15.40.201. Requirements of party petition.** Petitions for the nomination  
 8 of candidates of political parties shall state in substance that the party desires and  
 9 intends to support the named candidate for the office of United States senator or  
 10 United States representative, as appropriate, at the special election and requests that  
 11 the name of the candidate nominated be placed on the ballot.

12 **Sec. 15.40.211. Selection of party nominees.** The nominees of political  
 13 parties may be selected by the state convention or in any other manner prescribed by  
 14 the party bylaws, and the petition shall be signed by the chairperson and secretary of  
 15 the state convention, or if the nominees are selected by the party central committee,  
 16 the petition shall be signed by the chairperson of the central committee or in any other  
 17 manner prescribed by the party bylaws.

18 \* **Sec. 43.** AS 15.40.220 is amended to read:

19 **Sec. 15.40.220. General provisions for conduct of [THE] special**  
 20 **[PRIMARY] election and special runoff election.** Unless specifically provided  
 21 otherwise, all provisions regarding the conduct of the [PRIMARY ELECTION AND]  
 22 general election shall govern the conduct of the special [PRIMARY] election and the  
 23 special runoff election of the United States senator or United States representative,  
 24 including provisions concerning voter qualifications; provisions regarding the duties,  
 25 powers, rights, and obligations of the director, of other election officials, and of  
 26 municipalities; provision for notification of the election; provision for payment of  
 27 election expenses; provisions regarding employees being allowed time from work to  
 28 vote; provisions for the counting, reviewing, and certification of returns; provisions  
 29 for running as, voting for, and counting ballots for a write-in candidate;  
 30 provisions for the determination of the votes and of recounts, contests, and appeal; and  
 31 provision for absentee voting.

1 \* **Sec. 44.** AS 15.40.230 is amended to read:

2           **Sec. 15.40.230. Condition and time of calling [SPECIAL PRIMARY**  
 3 **ELECTION AND] special election.** When a person appointed to succeed to the  
 4 office of lieutenant governor succeeds to the office of acting governor, the acting  
 5 governor shall, by proclamation, call a special [PRIMARY] election to be held on a  
 6 date not less than 60, nor more than 90, days after the date the vacancy in the office of  
 7 the governor occurred [AND A SUBSEQUENT SPECIAL ELECTION TO BE HELD  
 8 ON THE FIRST TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING  
 9 NOT LESS THAN 60 DAYS AFTER THE SPECIAL PRIMARY ELECTION].  
 10 However, if the vacancy occurs on a date that is less than 60 days before or is on or  
 11 after the date of the primary election in years in which a governor is regularly elected,  
 12 the acting governor shall serve the remainder of the unexpired term and may not call a  
 13 special election.

14 \* **Sec. 45.** AS 15.40.240 is amended to read:

15           **Sec. 15.40.240. Conditions for holding special [PRIMARY ELECTION**  
 16 **AND SPECIAL] election with primary or general election.** If the vacancy occurs  
 17 on a date not less than 60, nor more than 90, days before the date of the primary  
 18 election in years in which a governor is regularly elected [IN AN ELECTION  
 19 YEAR IN WHICH A GOVERNOR IS NOT REGULARLY ELECTED, THE  
 20 ACTING GOVERNOR SHALL, BY PROCLAMATION, CALL THE SPECIAL  
 21 PRIMARY ELECTION TO BE HELD ON THE DATE OF THE PRIMARY  
 22 ELECTION AND THE SPECIAL ELECTION TO BE HELD ON THE DATE OF  
 23 THE GENERAL ELECTION,] or [,] if the vacancy occurs on a date not less than 60,  
 24 nor more than 90, days before the date of the primary election or general election in  
 25 election years in which a governor is not regularly elected, the acting governor shall,  
 26 by proclamation, call the special [PRIMARY] election to be held on the date of the  
 27 primary election or general election [WITH THE SUBSEQUENT SPECIAL  
 28 ELECTION TO BE HELD ON THE FIRST TUESDAY THAT IS NOT A STATE  
 29 HOLIDAY OCCURRING NOT LESS THAN 60 DAYS AFTER THE SPECIAL  
 30 PRIMARY AND GENERAL ELECTION].

31 \* **Sec. 46.** AS 15.40.250 is amended to read:

1           **Sec. 15.40.250. Proclamation of [SPECIAL PRIMARY ELECTION AND]**  
 2           **special election.** The acting governor shall issue the proclamation [CALLING THE  
 3           SPECIAL PRIMARY ELECTION AND SPECIAL ELECTION] at least 50 days  
 4           before the [SPECIAL PRIMARY] election.

5           \* **Sec. 47.** AS 15.40.280 is amended to read:

6           **Sec. 15.40.280. Requirements of petition for no-party candidates.** Petitions  
 7           for the nomination of candidates not representing a political party shall be signed  
 8           by qualified voters of the state equal in number to at least one percent of the  
 9           number of voters who cast ballots in the preceding general election, shall include  
 10           nominees for the office of governor and lieutenant governor, and shall [MUST BE  
 11           EXECUTED UNDER OATH,] state in substance that which is required for  
 12           nomination petitions by AS 15.25.180 [A DECLARATION OF CANDIDACY  
 13           UNDER AS 15.25.030, AND INCLUDE THE FEE REQUIRED UNDER  
 14           AS 15.25.050(a)].

15           \* **Sec. 48.** AS 15.40 is amended by adding new sections to read:

16           **Sec. 15.40.291. Requirements of party petition.** Petitions for the nomination  
 17           of candidates of political parties shall state in substance that the party desires and  
 18           intends to support the named candidates for the offices of governor and lieutenant  
 19           governor at the special election and requests that the names of the two candidates  
 20           nominated be placed on the ballot.

21           **Sec. 15.40.301. Selection of party nominees.** The nominees of political  
 22           parties may be selected by state convention or in any other manner prescribed by the  
 23           party bylaws, and the petition shall be signed by the chairperson and secretary of the  
 24           state convention, or, if the nominees are selected by the party central committee, the  
 25           petition shall be signed by the state chairperson of the political party or in any other  
 26           manner prescribed by the party bylaws.

27           \* **Sec. 49.** AS 15.40.310 is amended to read:

28           **Sec. 15.40.310. General provisions for conduct of [THE SPECIAL**  
 29           **PRIMARY ELECTION AND] special election.** Unless specifically provided  
 30           otherwise, all provisions regarding the conduct of the [PRIMARY AND] general  
 31           election shall govern the conduct of the special [PRIMARY ELECTION AND

1 SPECIAL] election of the governor and lieutenant governor, including provisions  
 2 concerning voter qualifications; provisions regarding the duties, powers, rights, and  
 3 obligations of the director, of other election officials, and of municipalities; provision  
 4 for notification of the election; provision for payment of election expenses; provisions  
 5 regarding employees being allowed time from work to vote; provisions for the  
 6 counting, reviewing, and certification of returns; provisions for the determination of  
 7 the votes and of recounts, contests, and appeal; and provision for absentee voting.

8 \* **Sec. 50.** AS 15.40.330 is amended to read:

9 **Sec. 15.40.330. Qualification and confirmation of appointee.** (a) The  
 10 appointee shall meet the qualifications of a member of the legislature as prescribed in  
 11 art. II, sec. 2, Constitution of the State of Alaska, [AND, IF THE PREDECESSOR IN  
 12 OFFICE WAS A MEMBER OF A POLITICAL PARTY OR POLITICAL GROUP  
 13 AT THE TIME OF THE VACANCY, (1)] shall be a member of the same political  
 14 party [OR POLITICAL GROUP] as that which nominated the predecessor in office,  
 15 [;] and [(2)] shall be subject to confirmation by a majority of the members of the  
 16 legislature who are members of the same political party which nominated [OR  
 17 POLITICAL GROUP AS] the predecessor in office and of the same house as was the  
 18 predecessor in office. If the predecessor in office was not nominated by [A  
 19 MEMBER OF] a political party or [POLITICAL GROUP AT THE TIME OF THE  
 20 VACANCY, OR,] if no other member of the predecessor's political party [OR  
 21 POLITICAL GROUP] is a member of the predecessor's house of the legislature, the  
 22 governor may appoint any qualified person. If the appointee is not a member of a  
 23 political party [OR POLITICAL GROUP, AS PROVIDED IN (b) OF THIS  
 24 SECTION], the appointment is not subject to confirmation. If the appointee is a  
 25 member of a political party [OR POLITICAL GROUP], the appointment is subject to  
 26 confirmation as provided by [(b) OF] this section for the confirmation of political  
 27 party [OR POLITICAL GROUP] appointees.

28 (b) A member of a political party [OR POLITICAL GROUP] is a person who  
 29 supports the political program of a [POLITICAL] party [OR POLITICAL GROUP].  
 30 The filing for office of a candidate as an independent or no-party candidate  
 31 [ABSENCE OF A POLITICAL PARTY OR POLITICAL GROUP DESIGNATION

AFTER A CANDIDATE'S NAME ON AN ELECTION BALLOT] does not preclude a candidate from being a member of a political party [OR POLITICAL GROUP]. Recognition of an independent or no-party [A] candidate as a member of a [POLITICAL] party [OR POLITICAL GROUP] caucus of members of the legislature at the legislative session following the election of the independent or no-party candidate is recognition of that person's [POLITICAL] party [OR POLITICAL GROUP] membership at the time filings were made by party candidates for the preceding general election [FOR THE PURPOSES OF CONFIRMATION UNDER THIS SECTION].

\* **Sec. 51.** AS 15.40.380 is amended to read:

**Sec. 15.40.380. Conditions for part-term senate appointment and special election.** If the vacancy is for an unexpired senate term of more than two years and five full calendar months, the governor shall call a special [PRIMARY ELECTION AND A SPECIAL] election by proclamation and the appointment shall expire on the date the state senate first convenes or reconvenes following the certification of the results of the special election by the director.

\* **Sec. 52.** AS 15.40.390 is amended to read:

**Sec. 15.40.390. Date of special [PRIMARY ELECTION AND SPECIAL] election.** The special [PRIMARY] election to fill a vacancy in the state senate shall be held on the date of the first general [PRIMARY] election held more than three full calendar months [60 DAYS] after the senate vacancy occurs [, AND THE SPECIAL ELECTION SHALL BE HELD ON THE DATE OF THE FIRST GENERAL ELECTION THEREAFTER].

\* **Sec. 53.** AS 15.40.400 is amended to read:

**Sec. 15.40.400. Proclamation of [SPECIAL PRIMARY ELECTION AND] special election.** The governor shall issue the proclamation calling the [SPECIAL PRIMARY ELECTION AND] special election at least 50 days before the [SPECIAL PRIMARY] election.

\* **Sec. 54.** AS 15.40.440 is amended to read:

**Sec. 15.40.440. Requirements of petition for no-party candidates.** Petitions for the nomination of candidates not representing a political party shall be signed



1 by qualified voters equal in number to at least one percent of the number of  
 2 voters who cast ballots in the proposed nominee's respective house or senate  
 3 district in the preceding general election. A nominating petition may not contain  
 4 less than 50 signatures for any district, and must [BE EXECUTED UNDER  
 5 OATH,] state in substance that which is required in petitions for nomination by  
 6 AS 15.25.181 [A DECLARATION OF CANDIDACY UNDER AS 15.25.030, AND  
 7 INCLUDE THE FEE REQUIRED UNDER AS 15.25.050(a)].

8 \* **Sec. 55.** AS 15.40 is amended by adding new sections to read:

9 **Sec. 15.40.451. Requirements of petition by political party.** Petitions for the  
 10 nomination of candidates of political parties shall state in substance that the party  
 11 desires and intends to support the named candidate for the office of state senator at the  
 12 special election and requests that the name of the candidate be placed on the ballot.

13 **Sec. 15.40.461. Selection of political party nominees.** The nominees of  
 14 political parties may be selected by the respective party district committee or by any  
 15 other manner as provided by the party bylaws, and the petition shall be signed by the  
 16 chairperson of the party district committee or by any other party official designated by  
 17 the party bylaws.

18 \* **Sec. 56.** AS 15.40.470 is amended to read:

19 **Sec. 15.40.470. General provision for conduct of [THE SPECIAL**  
 20 **PRIMARY ELECTION AND] special election.** Unless specifically provided  
 21 otherwise, all provisions regarding the conduct of the [PRIMARY ELECTION AND]  
 22 general election shall govern the conduct of the special [PRIMARY ELECTION AND  
 23 SPECIAL] election of state senators, including provisions concerning voter  
 24 qualifications; provisions regarding the duties, powers, rights, and obligations of the  
 25 director, of other election officials, and of municipalities; provision for notification of  
 26 the election; provision for payment of election expenses; provisions regarding  
 27 employees being allowed time from work to vote; provisions for the counting,  
 28 reviewing, and certification of returns; provisions for the determination of the votes  
 29 and of recounts, contests, and appeal; and provision for absentee voting.

30 \* **Sec. 57.** AS 15.45.190 is amended to read:

31 **Sec. 15.45.190. Placing proposition on ballot.** The lieutenant governor shall

1 direct the director to place the ballot title and proposition on the election ballot of the  
 2 first statewide general, special, special **runoff** [PRIMARY], or primary election that is  
 3 held after

4 (1) the petition has been filed;

5 (2) a legislative session has convened and adjourned; and

6 (3) a period of 120 days has expired since the adjournment of the  
 7 legislative session.

8 \* **Sec. 58.** AS 15.45.420 is amended to read:

9 **Sec. 15.45.420. Placing proposition on ballot.** The lieutenant governor shall  
 10 direct the director to place the ballot title and proposition on the election ballot for the  
 11 first statewide general, special, special **runoff** [PRIMARY], or primary election held  
 12 more than 180 days after adjournment of the legislative session at which the act was  
 13 passed.

14 \* **Sec. 59.** AS 15.58.010 is amended to read:

15 **Sec. 15.58.010. Election pamphlet.** Before each state general election, and  
 16 before each state primary, special, or special **runoff** [PRIMARY] election at which a  
 17 ballot proposition is scheduled to appear on the ballot, the lieutenant governor shall  
 18 prepare, publish, and mail at least one election pamphlet to each household identified  
 19 from the official registration list. The pamphlet shall be prepared on a regional basis as  
 20 determined by the lieutenant governor.

21 \* **Sec. 60.** AS 15.58.020(b) is amended to read:

22 (b) Each primary, special, or special **runoff** [PRIMARY] election pamphlet  
 23 shall contain only the information specified in (a)(6) and (a)(9) of this section for each  
 24 ballot measure scheduled to appear on the primary, special, or special **runoff**  
 25 [PRIMARY] election ballot.

26 \* **Sec. 61.** AS 15.58.030(b) is amended to read:

27 (b) **No** [NOT] later than July 22 of a year in which a state general election will  
 28 be held, an individual who becomes a candidate for the office of United States senator,  
 29 United States representative, governor, lieutenant governor, state senator, or state  
 30 representative under AS 15.25.030 **or 15.25.181** may file with the lieutenant governor  
 31 a photograph and a statement advocating the candidacy. **An individual who becomes**

a candidate for the office of United States senator, United States representative, governor, lieutenant governor, state senator, or state representative by party petition filed under AS 15.25.110 may file with the lieutenant governor a photograph and a statement advocating the candidacy within 10 days of becoming a candidate.

\* Sec. 62. AS 15.80.010(9) is amended to read:

(9) "federal election" means a general, special, special runoff [PRIMARY], or primary election held solely or in part for the purpose of selecting, nominating, or electing a candidate for the office of President, Vice-President, presidential elector, United States senator, or United States representative;

\* Sec. 63. AS 15.80.010(27) is amended to read:

(27) "political party" means an organized group of voters that represents a political program and

(A) that nominated a candidate for governor who received at least three percent of the total votes cast for governor at the preceding general election or has registered voters in the state equal in number to at least three percent of the total votes cast for governor at the preceding general election;

(B) if the office of governor was not on the ballot at the preceding general election but the office of United States senator was on that ballot, that nominated a candidate for United States senator who received at least three percent of the total votes cast for United States senator at that general election or has registered voters in the state equal in number to at least three percent of the total votes cast for United States senator at that general election; or

(C) if neither the office of governor nor the office of United States senator was on the ballot at the preceding general election, that nominated a candidate for United States representative who received at least three percent of the total votes cast for United States representative at that general election or has registered voters in the state equal in number to at least three percent of the total votes cast for United States representative at

1 that general election;

2 \* **Sec. 64.** AS 39.50.020(b) is amended to read:

3 (b) A public official or former public official other than an elected or  
 4 appointed municipal officer shall file the statement with the Alaska Public Offices  
 5 Commission. Candidates for the office of governor and lieutenant governor and, if the  
 6 candidate is not subject to AS 24.60, the legislature shall file the statement under  
 7 AS 15.25.030 or 15.25.181. Municipal officers, former municipal officers, and  
 8 candidates for elective municipal office shall file with the municipal clerk or other  
 9 municipal official designated to receive their filing for office. All statements required  
 10 to be filed under this chapter are public records.

11 \* **Sec. 65.** AS 15.13.040(r), 15.13.070(g), 15.13.090(g), 15.13.110(k), 15.13.400(5),  
 12 15.13.400(15), 15.13.400(19); AS 15.15.025, 15.15.030(14), 15.15.030(15), 15.15.030(16),  
 13 15.15.030(17), 15.15.060(e), 15.15.350(c), 15.15.350(d), 15.15.350(e), 15.15.350(f),  
 14 15.15.350(g); AS 15.58.020(a)(13), 15.58.020(c); and AS 15.80.010(34) are repealed.

15 \* **Sec. 66.** The uncodified law of the State of Alaska is amended by adding a new section to  
 16 read:

17 **CONDITIONAL EFFECT.** Sections 1 - 65 of this Act take effect only if sec. 67 of  
 18 this Act receives the two-thirds majority vote of each house required by art. II, sec. 18,  
 19 Constitution of the State of Alaska.

20 \* **Sec. 67.** This Act takes effect February 28, 2023.